

REMARKS

Applicants have considered the February 13, 2006 Office Action, and the comments that follow are presented in a bona fide effort to address all issues raised in that Action and thereby place this case in condition for allowance. Claims 1, 2, 6 and 8-18 are pending in this application. Claim 8 through 17 have been withdrawn from consideration pursuant to the provisions of 37 C.F.R. § 1.142(b). Claims 1, 2, 6 and 18 have been rejected. Entry of the present Request for Reconsideration is respectfully solicited. It is believed that this response places this case in condition for allowance. Hence, prompt favorable reconsideration of this case is solicited.

Claims 1, 2, 6 and 18 were newly rejected under 35 U.S.C. § 102(b) as being unpatentable over Jang (U.S. Pat. No. 5,910,018, hereinafter “Jang”). The Examiner, at page 2 of the final Office action stated that Jang, at Figure 9, teaches all of the limitations of claims 1, 2, 6 and 18. The Examiner included a marked-up version of Fig. 9 at page 2 of the final Office action, wherein three circled areas allegedly correspond to the first, second and third surfaces of the instant claims. Applicants respectfully traverse the rejection and disagree with the Examiner’s characterization of Fig. 9 in the Jang patent.

The factual determination of lack of novelty under 35 U.S.C. § 102 requires the identical disclosure in a single reference of each element of a claimed invention, such that the identically claimed invention is placed into the possession of one having ordinary skill in the art. *Helifix Ltd. v. Blok-Lok, Ltd.*, 208 F.3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994). Moreover, in imposing the rejection under 35 U.S.C. § 102, the Examiner is required to specifically identify wherein an applied reference is perceived to identically disclose each feature

of a claimed invention. *In re Rijckaert*, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993); *Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984). There are significant differences between the claimed invention and the device disclosed by Jang that scotch the factual determination that Jang identically describes the claimed inventions within the meaning of 35 U.S.C. § 102.

Independent claims 1, 2 and 18 require, in pertinent part, that the third surface directly connects the first and second side surfaces. However, the third surface identified by the Examiner in the marked up version of Jang's Fig. 9, does not directly connect the first and second side surfaces. Instead, a curved surface, in addition to an inclined surface, exists between the first and third surfaces. As such, Jang does not disclose or remotely suggest a third surface, that directly connect the first and second side surfaces, as required in each of claims 1, 2 and 18.

Furthermore, independent claims 1 and 18 recite, inter alia, a substantially single, straight and linearly incline third surface which directly connects the first and second side surfaces. As the region identified by the Examiner in Fig. 9 of Jang, includes both an inclined portion and a curved portion, Jang fails to disclose a substantially single, straight and linearly incline third surface which directly connects the first and second side surfaces. Independent claim 18 alternatively requires that the third surface exhibits a substantially curvilinear S shape. It is not apparent where the portion identified by the Examiner is a substantially curvilinear S shape as claimed.

For the reasons advocated above, it should be apparent that Jang fails to identically disclose every feature of independent claims 1, 2 and 18. Accordingly, reconsideration and withdrawal of the rejection are solicited.

It is believed that all pending claims are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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